

RICHARDSON'S BAY REGIONAL AGENCY

SPECIAL MEETING

Tuesday, May 16, 2017

5:30 P.M. to 7:30 P.M.

Sausalito City Council Chambers 420 Litho Street Sausalito, CA

The Richardson's Bay Regional Agency Board of Directors encourages a respectful dialogue that supports freedom of speech and values diversity of opinion. The Board, staff and the public are expected to be polite and courteous, and refrain from questioning the character or motives of others. Please help create an atmosphere of respect by not booing, whistling or clapping; by adhering to speaking time limits; and by silencing your cell phone.

PUBLIC COMMENT IS INVITED CONCERNING EACH AGENDIZED ITEM PURSUANT TO THE BROWN ACT. PLEASE LIMIT YOUR COMMENTS TO THREE (3) MINUTES.

AGENDA

5:30 P.M. CALL TO ORDER - ROLL CALL

1. Approval of the minutes of February 9, 2017 Regular Meeting and April 5, 2017 Special Meeting
2. Presentation regarding Community Efforts
 - a. 10 Minutes allocated to Community Outreach Subcommittee Report
 - b. 10 Minutes allocated to presentation from representative of the Community
3. Review report of Harbor Administrator
 - a. Budget report YTD, approval of prior expenditures for July 2016-April 30, 2017
4. Staff report by Dan Eilerman, Asst. County Administrator (& Interim Executive Director)
 - a. Consider approval of FY 2017-18 Budget, with revised Member Contributions reflecting withdrawal of Sausalito, effective July 1, 2017
5. Resolution to authorize Executive Director, in coordination with Counsel, to reject claims, as well as to allow, compromise or settle any claims up to \$10,000
6. Elect new Chair and Vice-Chair for two year terms commencing July 1, 2017
7. Public comments invited concerning items NOT on this Agenda (3-minute limit)
8. Board member matters

NEXT MEETING: July 13, 2017. Board Members, please review your calendars and advise Staff as soon as possible as to your availability.

A COMPLETE AGENDA PACKET IS AVAILABLE FOR VIEWING ON THE RBRA WEBSITE <http://rbra.ca.gov>, AND AT THE SAUSALITO CITY LIBRARY. TO RECEIVE AN ELECTRONIC MEETING NOTICE, PLEASE EMAIL REQUEST TO DON ALLEE AT dallee@marincounty.org

RICHARDSON'S BAY REGIONAL AGENCY

DRAFT MINUTES OF FEBRUARY 9, 2017

HELD AT SAUSALITO CITY HALL CHAMBERS

MEMBERS PRESENT: Erin Tollini (Tiburon); Marty Winter (Belvedere); Kathrin Sears (Marin County); Jim Wickham (Mill Valley); Jill Hoffman (Sausalito)

ABSENT: None

STAFF: Dan Eilerman, (Interim Executive Director); Bill Price (Harbor Administrator);

ADDITIONAL: Jenna Brady (Marin County Counsel)

Meeting called to order at 5:30 PM.

Minutes of December 1, 2016 Meeting

Minutes were approved unanimously.

Keven Kiffer said he was disappointed, and felt the Board was violating the Brown Act. He didn't feel his comments were accurately recorded and asked that the entire meeting be transcribed and made available.

Harbor Administrator's Report

The report was accepted unanimously.

Prior expenditures: December 2016 – February 2017

The expenditure report was accepted unanimously.

Douglas Storms said that one way of avoiding costs of raising and salvaging boats would be to examine the Sausalito Police Department's enforcement of unoccupied moorings, since the removal of working ground tackle means there were no safe refuges during storms.

Kevan Kiffer said the recent storms were forecasted and RBRA needed to take their first responder status seriously. He also said that boats were being purchased by the RBRA for disposal and this was the cause of the increase in vessels in the bay.

Report on efforts by Richardson Bay Special Anchorage Association

Alden Bevington started by noting the exhausting winter weather patterns. He explained the idea of a burgee system that would identify mariners that followed the standards set forth by the Richardson Bay Safe Anchorage Association, with an annual certification. He stated that there were 145 live-aboards, with 36 being properly moored and seaworthy to the RBSAA standards. He felt that law enforcement wasn't working on pre-emptive measures and that there needed to be more communication. He wasn't clear on what constituted a Marine Debris Vessel and felt that there was arbitrary enforcement of the law. He said that he would be meeting with members

Sears and Wickham on 2/17/17 and wanted to be notified of any upcoming state meetings as well.

Member Wickham asked if Staff had been involved in certifying boats and Mr. Bevington replied that it had been part of a demographic survey managed by Douglas Storms. Mr. Storms spoke, saying that all the gathered information from cooperating individuals was fed into a spreadsheet, and that Mr. Price had provided input into the guidelines. He wanted to sit down with law enforcement and discuss seaworthiness, ground tackle and arbitrary enforcement.

Mr. Kiffer related his difficulties using Richardson Bay as his residence through the court system and thought the RBRA should facilitate proof of his residence here to help with his registration of vessels.

Staff Report

Dan Eilerman updated the Board regarding the enhanced enforcements plan's metrics. He stated that staff and Law Enforcement were on pace for removing approximately 100 vessels this year, which shows significant progress.

He announced that Sausalito had issued their intent to withdraw from the RBRA, and he explained that there had been several meetings of a City Managers working group to set a work plan and formulate two budget options going forward. He referred briefly to recruitment efforts for an Executive Director, and also referred the Board to the response to a letter from Schoonmaker Point Marina, which outlined the enhanced enforcement plan.

Member Winter asked how the RBRA would move forward without Sausalito. Mr. Eilerman responded that we would attempt to do everything we can to continue making progress as a smaller agency, and envisioned further work and discussion among the managers working group to confirm issues surrounding the separation.

Member Hoffman asked why governance issue wasn't on the agenda and Mr. Eilerman responded that, following Mr. Rod Gould's previous staff report and recommendations, the governance discussion was postponed pending the outcome of the enhanced enforcement program. He clarified that he takes direction from the Board. Member Hoffman said it would be helpful to have board members attend the city manager meetings, and Eilerman responded that the meetings were seen as providing a foundation for discussions to present options for consideration by the Board.

Member Hoffman asked if the Board wanted to have common ground on governance issues. Chair Tollini said that the governance discussions would be a long process and that the enhanced enforcement program was working well currently. Member Sears agreed, stating that pursuing governance now would be time-intensive, and she suggested focusing on the work RBRA was engaged in and to continue with forward momentum. Member Wickham said the Enforcement plan was working well now but a long term strategy was needed. Member Sears agreed, and Member Winter said that a plan and vision would assist in generating more money from the State. Member Wickham envisioned the plan to incorporate a "no parking in this town" approach.

Member Hoffman said that Sausalito had been double paying into RBRA and covering the city costs of enforcement, and she asked why governance issues couldn't be discussed in a special session with the Board. Member Wickham said he had no problem with that idea, but Member Sears stated that it would be extremely unlikely that governance issues would be resolved by the June budget deadline and she suggested that Sausalito make a decision regarding their future participation in the RBRA.

Mr. Storms said that Mr. Gould had supported community involvement but that the job was not getting done, and mariner's support was necessary for success. Mr. Kiffer said that Mr. Gould was civilly indicted and should have never been hired. He asked for the RBRA to clean house and recommended that Sausalito stand their ground. Barbara Saltzman, representing the Audubon Society, recommended meeting more often to deal with the governance issues in order to keep Sausalito involved with the Agency. Brock DeLaippe explained his critical role in the Oakland Estuary Program \$8 Million clean-up and said that Mr. Price's efforts should be supported by Sausalito. Mr. Bevington said that his group has governance happening currently and asked to be brought in to any discussions.

Member Hoffman said that the recent sheriff vessel census showed the same numbers as the prior year. Chair Tollini stated that the enhanced enforcement plan is working, and that the governance issue is a hammer over the RBRA's head at the end of the year when a budget is meant to be approved. She wants to keep moving forward.

Member Hoffman felt that RBRA was not enforcing rules and that the Police Chief's duplication of enforcement was not sustainable for Sausalito. She thought the 35% split need to be discussed since it was not fair. Ms. Hoffman asked if Sausalito was being compensated for police overtime and Mr. Eilerman said that they would receive \$10K per the budget amendment for their involvement in the enhanced enforcement effort. Member Hoffman requested that Sausalito's enforcement costs be a component of discussions.

Member Wickham stressed the need for a subcommittee to be formed. Member Tollini suggested a subcommittee consisting of the chair and vice chair to review budget options developed by the City Managers working group, which the Board approved.

Public Comments not on agenda

Mr. Kiffer said the RBRA needed to check itself; he felt personally targeted and thought the Agency should do some housecleaning. Barbara Saltzman, representing the Audubon Society, stated that she had been involved in the original meetings of the Special Area Plan which had incorporated providing slips to move anchor-outs off the water as part of the settlement. Court Mast, a houseboat harbor resident who navigates the anchorage, said the bay was a dumping ground and that new vessels were being welcomed by anchor outs. He felt all illegal boats should be removed, and said that after 40 years of conflict, the last houseboats are being legitimized at Waldo Point.

Staff Comments

None

Board Member Matters

Member Hoffman announced that the meeting was being streamed and recorded.

The meeting was adjourned at 7:08 PM.

RICHARDSON'S BAY REGIONAL AGENCY

SPECIAL MEETING

MINUTES OF APRIL 5, 2017

HELD AT TIBURON TOWN HALL CHAMBERS

MEMBERS PRESENT: Erin Tollini (Tiburon); Marty Winter (Belvedere); Kathrin Sears (Marin County); Jill Hoffman (Sausalito)

ABSENT: Jim Wickham (Mill Valley)

STAFF: Dan Eilerman, (Interim Executive Director); Bill Price (Harbor Administrator)

ADDITIONAL: Jenna Brady, Kerry Gerchow (Marin County Counsel)

Special Meeting called to order at 8:30 AM.

Adjourned directly to a closed session regarding legal issues.

Open meeting called to order at 9:10 AM.

Chair Tollini reported that the Board had received counsel concerning litigation.

Public Comments not on agenda

Jeff Jacob Chase read a short passage from the Torah and said that kings don't want to listen when a prophet speaks. He asked the Board to consider kindness, justice and equality, and said that Marin doesn't support the poor.

Alden Bevington reported on the process of people on the anchorage trying to work out solutions, and he thought these would be competent plans. He said there were reasons that Sausalito's regulations had not been enforced, and he asked that the RBRA take the anchorage group's plans seriously whether Sausalito splits from the RBRA or not. He felt the misdemeanor penalty wouldn't be viable and it could be seen as discriminatory.

Douglas Storms said that he had played the "game" for over 30 years and that Sausalito's new effort would result in the same litigation and civil unrest. He asked the board to consider the anchorage demographic information showing a decline in the year so far.

Staff Comments

None

Board Member Matters

None

The meeting was adjourned at 9:36 AM.

RICHARDSON'S BAY REGIONAL AGENCY

HARBOR ADMINISTRATOR'S REPORT

May 3, 2017

WORKING RELATIONSHIPS

- **Boating and Waterways** – Submitted the third reimbursement request under the 2017 SAVE Grant. Awaiting reimbursal on two packages: #2 for \$48,917 and #3 for \$108,274. 2) Application submitted for the SAVE grant for 2017-18, with a total request of \$275K.
- **USCG** – meeting regularly with Abandoned Vessel Group, with reps from Sausalito PD and MSO in attendance
- **MSO and SPD** – Working very closely with MSO as they tag and tow Marine Debris vessels for disposal. Assisting SPD in transferring moorings to storage.

DEBRIS REMOVAL

- All of this year's significant storm damage has been handled, and the local beaches have been cleaned at least once. A special thanks to Strawberry Earth Day volunteers!
- 41 vessels were disposed since 2/9/17. 18 Marine Debris; 20 AWAFF (sunk, beached storm related); 3 VTIP
- 8 additional small unregistered sunken vessels and 3 derelict docks were disposed of
- 2 boats are currently impounded
- 6 boats stored for disposal

RAPID RESPONSE

- 5 large and 4 small vessels recovered and disposed

WATER QUALITY

- Finished testing and results are included. The winter rains caused some predictable spikes at test site situated near storm drains, and one of the sites that has been a problem in the past (Kappas Pier) has been identified near the storm drain location for all of Marin City. There are currently only 6 of the original 48 houseboats in the Gates Coop – all of the other houseboats have been relocated and hooked up to new sewage systems. The remaining Gates houseboats will relocate this year, which will resolve the substandard system and its resultant problems.

OTHER

- Working to find an alternative source of funding to keep the Enhanced Enforcement plan moving forward. This winter has been extraordinarily problematic and it has affected all the harbors in Northern California, so finding leftover grant funding is very difficult. In past years, RBRA could rely on utilizing these expiring SAVE funds to cover our disposal needs but we will have to find a creative option moving forward until next year's grant is authorized in Fall 2017.

Richardson's Bay Regional Agency

RBRA Vessel Disposal List September - November 2016

Date	Name	Type	Amount	Condition	Location
2/11/2017	GOLDEN GIRL	46' wood powerboat	\$3,302.50	sunk - abnd. - MDV	MC anchorage
2/11/2017	T BIRD	26' wood sailboat	\$2,648.76	sunk - abnd. - SAVE	MC anchorage
2/13/2017	ROLAND	18' f/g powerboat	\$1,580.50	sunk - abnd. - SAVE	MC anchorage
2/13/2017	BAYLINER CLIPPER	18' f/g powerboat	\$1,935.00	sunk - abnd. - SAVE	MC anchorage
2/14/2017	SV CHRISCRAFT	24' f/g powerboat	\$7,933.76	sunk - abnd. - SAVE	MC anchorage
2/14/2017	CATALINA 22	22' f/g sailboat	\$2,185.00	abandoned - MDV	MC anchorage
2/14/2017	MUD HEN	27' wood powerboat	\$6,945.00	sunk - abnd. - SAVE	MC anchorage
2/16/2017	RED STEEL	32' steel sailboat	\$7,391.25	abandoned - MDV	Tiburon
2/16/2017	OPAL CHRIS	30' f/g powerboat	\$8,143.75	sunk/aban. - MDV	Tiburon
2/18/2017	MR. BLUBS	22' f/g sailboat	\$5,704.80	abandoned - MDV	Sausalito anchrg
2/18/2017	RANGER 26	26' f/g sailboat	\$2,335.00	sunk - abnd. - SAVE	Tiburon
2/18/2017	CARVEY	26' f/g sailboat	\$3,816.44	sunk - abnd. - SAVE	Tiburon
2/18/2017	COLUMBIA 26	26' f/g sailboat	\$3,185.00	sunk - abnd. - SAVE	MC anchorage
2/22/2017	CLIPPER DOCK	10' X 18' dock	\$0.01	sunk - abnd. - MDV	Sausalito
2/23/2017	SEA SKIFF	32' wood powerboat	\$3,450.25	sunk - abnd. - MDV	Tiburon
2/23/2017	QUETZAL	28' f/g sailboat	\$2,319.75	sunk - abnd. - SAVE	Tiburon
2/25/2017	DRAGON	27' f/g sailboat	\$1,736.26	sunk - abnd. - SAVE	Sausalito
2/25/2017	WANDERER	31' f/g sailboat	\$2,890.00	abandoned - SAVE	Belvedere beach
3/4/2017	GUIMONT	44' wood powerboat	\$9,522.01	sunk/aban. - SAVE	Tiburon
3/4/2017	COOL CHANGE	26' f/g sailboat	\$0.01	abandoned - SAVE	Sausalito
3/8/2017	ELAINE MAY	26' f/g powerboat	\$3,185.00	sunk - abnd. - SAVE	MC anchorage
3/8/2017	GO A LOAD	28' f/g powerboat	\$3,829.47	sunk - abnd. - SAVE	MC anchorage
3/11/2017	SCHOONIE SKIFF	16' f/g powerboat	\$250.00	abandoned - MDV	Sausalito
3/11/2017	PEPPER II	28' f/g sailboat	\$3,423.50	abandoned - MDV	MC anchorage
3/11/2017	2 BOATS BLACKIES	2x X10' f/g powerboa	\$500.00	abandoned - MDV	Tiburon
3/16/2017	GREEN SKIFF MOTORS	18' f/g powerboat	\$0.01	abandoned - MDV	MC anchorage
3/18/2017	KELLY GIRL	18' f/g powerboat	\$60.00	abandoned - SAVE	Tiburon
3/25/2017	EVERITT TRI	35' wooden trimaran	\$3,026.44	sunk/aban. - MDV	MC anchorage
3/25/217	EXCALIBUR	28' f/g sailboat	\$1,115.60	abandoned - MDV	MC anchorage
4/7/2017	AUDUBON SAIL	35' wooden sailboat	\$8,372.50	sunk/aban. - MDV	Tiburon
4/11/217	MART FERRO	55' ferrocement sail	\$20,380.00	abandoned - MDV	Sausalito
4/15/2017	FOAMY	27' f/g sailboat	\$1,285.00	abandoned - MDV	Belvedere
4/15/2017	CAPE MOHICAN	30' f/g lifeboat	\$5,335.00	abnd. beached MDV	Strawberry
4/15/217	JULIA	20' f/g sailboat	\$485.00	abandoned - MDV	Sausalito
4/18/2017	CEMENT DOCK	2 X 6' X 8' docks	\$400.00	abnd. beached MDV	Strawberry
4/15/2017	TAKAROA - VTIP	27' f/g sailboat	\$275.00	VTIP	Sausalito harbor

36 vessels total \$128,947.57

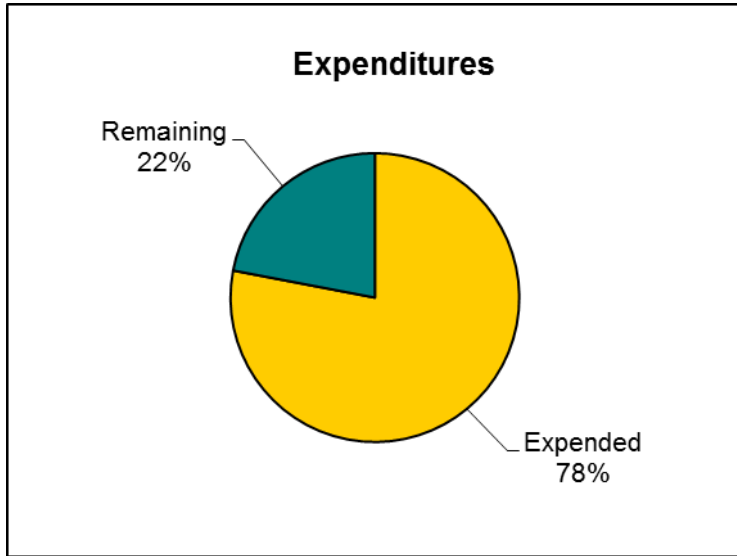
RBRA Balance Sheet
July 1- April 30, 2017

Revenues	FY 16-17 Budget	Actuals to date	Remaining	Projected 16/17 ACTUALS
Interest Pooled Invst	\$ 300	\$ 590	\$ (290)	\$ 708
Slip Rentals	\$ 7,000	\$ 6,845	\$ 155	\$ 7,000
Other Sales & Services	\$ 6,000	\$ 7,570	\$ (1,570)	\$ 8,000
Intergovt Revs-State	\$ 202,800	\$ 55,937	\$ 146,863	\$ 199,800
Intergovt Revs-Local	\$ 289,100	\$ 277,601	\$ 11,499	\$ 289,100
Total	\$ 505,200	\$ 348,543	\$ 156,657	\$ 504,608

Expenditures	FY 16-17 Budget	Actuals to date	Remaining	Projected 16/17 ACTUALS
Professional Services	\$ 481,334	\$ 372,483	\$ 108,851	\$ 481,000
Insurance Premiums	\$ 17,000	\$ 14,983	\$ 2,017	\$ 14,983
Communication	\$ 2,400	\$ 2,905	\$ (505)	\$ 3,500
Rental & Oper Leases	\$ 32,000	\$ 27,621	\$ 4,379	\$ 32,000
Prof. Devel. Expenses	\$ 600	\$ 350	\$ 250	\$ 350
Travel & Meetings	\$ 2,200	\$ 697	\$ 1,503	\$ 750
Publication	\$ 2,400	\$ -	\$ 2,400	\$ 800
Office Expenses	\$ 350	\$ 385	\$ (35)	\$ 385
Maint. & Repair-Equip	\$ 8,000	\$ 6,655	\$ 1,345	\$ 7,655
Oil and Gas	\$ 600	\$ 509	\$ 91	\$ 700
Total	\$ 546,884	\$ 426,589	\$ 120,295	\$ 542,123

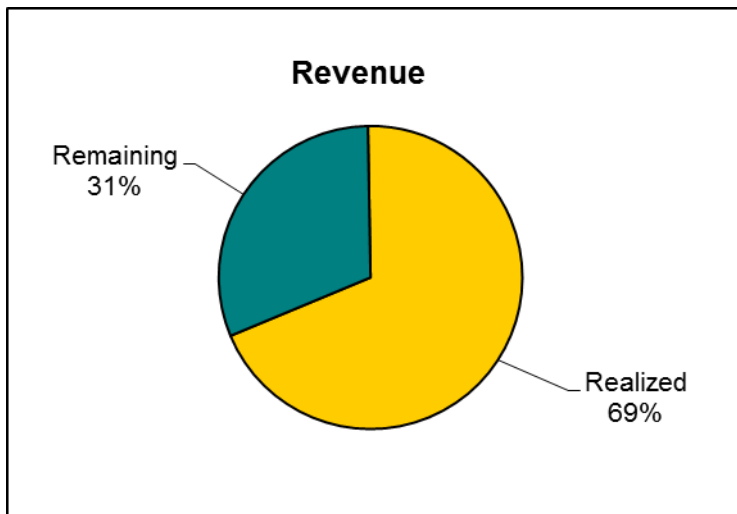
Est. Use of Fund Balance \$ 41,684 \$ 78,046 \$ (36,362) \$ 37,515

FY2016-2017 Budget Summary Through April 30, 2017



Expenditures vs. Adopted Budget

Expenditures	\$426,589
Adopted Budget	\$546,884



Realized Revenue vs. Budgeted Revenue

Realized Revenue	\$348,543
Budgeted Revenue	\$505,200

RICHARDSON'S BAY REGIONAL AGENCY

MEMORANDUM

May 16, 2017

To: RBRA Board
From: Dan Eilerman, Asst. County Administrator (& Interim RBRA Executive Director)

Board Actions Requested: (1) Accept report, and (2) approve FY 2017-18 Proposed RBRA Budget, including reallocation of remaining Member Contribution sharing ratios per Option B as presented in staff report

BACKGROUND: At your Board meeting of February 9, 2017, staff provided an update regarding the enhanced enforcement program and shared the City of Sausalito's Notice of Intent to withdraw from the RBRA effective June 30, 2016.

This evening's staff report is intended to provide a further update regarding this year's abatement and enhanced enforcement activity, as well as to present two Proposed FY 2017-18 RBRA Budget scenarios – Option A including Sausalito and Option B including revised Member Contributions given Sausalito's impending withdrawal. Given discussions of the past few months, staff and the City Managers Working Group are recommending Option B, which is also recommended by the Budget Subcommittee established by your Board in February.

With adoption of a FY 2017-18 budget, staff would transition toward identification of a more permanent Executive Director to engage your Board and stakeholders in strategic planning efforts this summer to guide the agency's future direction. In the interim, staff would continue with existing enforcement efforts focused on unoccupied vessels, unattended moorings and marine debris to the extent funding allows while also applying for additional grant funding for next fiscal year.

Enhanced Enforcement Program Update

Requiring a mid-year budget enhancement of \$20,000 earlier this year, the joint enhanced enforcement program has allowed the Marin County Sheriff's Office (MCSO), Sausalito Police Department (SPD) and the RBRA Harbor Administrator to work together in a coordinated fashion to focus on unoccupied vessels, unattended moorings, floats and other debris, and intensified efforts to ensure all vessels are registered as required by State law. You may recall that initial efforts began in October of 2016, and the initiative was affirmed unanimously by your Board in December with approval of the budget enhancement. This policy clarity, combined with an unusually strong and impactful winter storm season, has led to a very active year.

Harbor Administrator Bill Price recently submitted reimbursement to the State Division of Boating and Waterways (DBW) for vessel abatements since July 1, 2016. As of mid-April, 108 vessels have been abated – the most RBRA vessel abatements on record. Of these, 49 were marine debris vessels; 47 were Surrendered and Abandoned Vessel Exchange (SAVE) vessels; and 12 were Voluntary Turn-in Program (VTIP) vessels. Not counted among these 108 vessels are some 20+ smaller skiffs that were also abated.

While we are reporting on a fiscal year basis as we near the end of FY 2016-17, the majority of this activity occurred between October 1, when SAVE grant funding annually becomes available, through early March, when the severity of the winter storm season began to dissipate. (17 vessels were abated during from July 1 - mid-September with San Mateo Harbor District pass-thru funding. 13 SAVE or Marine Debris vessels were abated from September 1 – December 1; 16 occurred from December 2-31; 34 occurred from January 1 – March 4; and another 16 occurred from March 6 through April 30. Again, 12 VTIP vessels were abated this year, from September 1 – May 3). It should also be noted that the Sausalito Police Department (SPD) recently reported to its City Council having pulled 37 unattended mooring devices from RBRA waters.

The effort has been successful with a noticeable decline of vessels and debris on RBRA waters. The MCSO remains committed to continued enforcement next fiscal year. Your Board will recall that the last annual MCSO survey from January had recorded little change in the total number of vessels on the water, at approximately 250, though MCSO had implemented a new count methodology including new counts of small vessels - which may have had the effect of reflecting additional vessels. While this January survey did not reflect much of this year's enhanced enforcement and winter storm efforts, MCSO is implementing a flight survey plan for May and June to document current conditions on the water. In addition, staff will also work with MCSO to investigate a more current vessel survey this month to document the census after this year's efforts.

While we have fully expended our \$198k SAVE grant funding from DBW, we are currently pursuing new grant options – including new DBW SAVE grant funding for next fall. Congratulations to staff of the MCSO, Harbor Administrator Bill Price, and SPD for their efforts this year.

FY 2017-18 Proposed Budget

Given Sausalito's notice of withdrawal, staff has coordinated with the working group of City and Town Managers to discuss potential "A" and "B" budget options for FY 2017-18, with a "B" option accounting for Sausalito's withdrawal effective June 30. For comparison, the revenue and expenditure plans presented in Attachments A-B are exactly the same; the only difference between Options A and B are the relative Member Contributions given Sausalito's exit in Option B. These revised Member Contributions have been discussed, and received the concurrence of, the Managers of the remaining Member Agencies.

Ultimately, the Managers recommended option "B" that effectively carries forward the current budget with some minor savings, and includes continuance of the enhanced enforcement initiative budget change proposal from FY 2016-17 and a \$10,000 budgeted contingency for a new Executive Director to have available if needed. Per Attachment A, the expenditure budget increases by \$39,137 overall, due largely to plans for a new 0.25 FTE part-time professional Executive Director. The budget also allows for a planned \$20,000 year-end remaining fund balance, or 3.4% of budget.

Member Contributions increase by \$56,897 overall vs. FY 2016-17, with larger relative contributions among the remaining RBRA members in Option B due to the loss of Sausalito's 35% Member Contribution – which was reallocated among the remaining four Members proportionate to their existing Member Contributions. Much of the RBRA budget is fixed, with 74% of the current year budget consisting of the reimbursable SAVE grant, Harbor Administrator salary and benefits, and CDA Admin. Given how lean the budget is, staff discussed with the Managers working group and the Budget Subcommittee the lack of significant immediate cost savings opportunities – but we will continue to investigate new funding and savings opportunities going forward.

Please see Attachment B for FY 2017-18 Member Contribution percentages for Options A and B. This Proposed Budget was reviewed with a Budget Subcommittee consisting of the RBRA Chair and Vice Chair, which recommends Option B to your Board, and is also recommended by the remaining Member Agency City and Town Managers.

After conferring with RBRA Counsel, because Sausalito has provided its notice of intent to withdraw, the Board has two options. Sausalito may abstain from a FY 2017-18 Proposed Budget vote given its intent to withdraw effective June 30, leaving the remaining RBRA Members to consider consensus on Option B. Should Sausalito choose not to abstain, your Board may choose to adopt the FY 2016-17 Modified Budget (as also presented in Attachment A) as an interim spending plan for FY 2017-18 until your Board considers a Final Budget in the new fiscal year. This would leave expenditures and Member Contributions unchanged, consistent with your Board's budget action last year, allowing a majority vote to implement an interim spending plan.

Staff is available to address any questions this evening regarding the Proposed Budget.

Principles of Mutual Aid and Cooperation

Given Sausalito's impending withdrawal, staff also suggests your Board approve guiding principles of mutual aid and cooperation given our shared interest in ensuring effective and coordinated management of the Richardson's Bay waters. They are as follows:

- In the case of emergency or any safety related issues, RBRA and MCSO will remain available to assist with mutual aid to ensure the safety of officers, staff, members of the public, and the environment.
- RBRA and MCSO will continue to cooperate and coordinate with Sausalito regarding activities, including, but not limited to, inspection of vessels and enforcement, to avoid duplication of efforts, and to promote interagency consistency.
- If enforcement requires removal of a vessel from RBRA's jurisdiction, RBRA will agree not to move or tow a vessel to Sausalito's waters.
- To the extent permitted by law, RBRA will keep Sausalito informed regarding issues, policy determinations and/or enforcement activities that could impact Sausalito, and discuss issues of mutual concern.
- Finally, to the extent Sausalito may request the services of the RBRA, RBRA will work with the City with such services to be reimbursed at cost.

These are intended to represent guiding principles going forward, and staff would continue to work with Sausalito to ensure effective and coordinated services. If any formal agreement is appropriate, we would return to your Board in the new fiscal year.

Executive Director

Adoption of a budget would bring some sense of added certainty to the agency for FY 2017-18, allowing staff to expedite efforts for an experienced Executive Director. We anticipate that a central focus of a new Executive Director would be to engage the Board in strategic planning efforts this summer to guide the agency's future direction, ideally with the aid of a Board subcommittee. Staff in the meantime would continue with existing enforcement efforts focused on unoccupied vessels, unattended moorings, floats and other debris, as well as continued efforts to ensure all vessels are registered as required by State law.

Outcomes resulting from your Board's strategic planning efforts this summer could include potential amendments to ordinances and/or the JPA agreement as necessary to reflect alternative structures and governance. These strategic planning efforts would also include engagement in community assistance efforts as a component of continued RBRA enforcement activities – as well as working to identify alternative sources of funding, potentially including new additional State funds, to aid in enforcement, abatement and administration.

Any number of these efforts may result in changes to ordinances, procedures and/or the JPA itself – minimally to reflect the revised Member Contribution percentages and revised RBRA jurisdiction given Sausalito's withdrawal. In short, the Executive Director would aim to work with Board Members and stakeholders to determine a strategic vision for the agency going forward and would bring proposed JPA amendments or ordinance changes to the Board during FY 2017-18.

ALTERNATIVE POLICY OPTION: In the absence of a unanimous vote regarding the FY 2017-18 Proposed Budget Option B, an alternative would be to approve the current year FY 2016-17 Modified Budget (as also presented in Attachment A) as the RBRA's interim spending plan for FY 2017-18, with no increase in Member Contributions, pending the Board's adoption of a Final Budget in the new fiscal year. This would leave expenditures and Member Contributions unchanged, consistent with your Board's budget action last year, allowing a majority vote to implement an interim spending plan.

(Attachments A-B)

RICHARDSON'S BAY REGIONAL AGENCY
FY 2017-18 Proposed Budget - DRAFT

With Sausalito exiting, FY 2017-18 Proposed Budget includes proportional cost shares among remaining members:
 -Budget funds a \$75k 0.25 FTE part-time ED and maintains \$10k for Admin/Conting. (a \$39,683 inc. over FY 16-17) with increased Member Contributions, and leaves a planned \$20k year-end fund balance/reserve.

EXPENDITURES

BUDGET ACC	DESCRIPTION	FY 16/17 Modified Budget	FY 2017-18 Proposed Budget	FY 2017-18 Budget Notes
522510	PROFESSIONAL SERVICES	\$481,334	\$522,771	SAVE salvage; salary; legal; county management, etc.
521615	INSURANCE PREMIUMS	\$17,000	\$17,000	
521310	COMMUNICATION	\$2,400	\$2,400	Phone, fax, internet, mobile
522910	RENTAL & OPER. LEASES	\$32,000	\$32,000	Office; slips/dry storage (\$~16k); heavy equip. rental (\$~12k)
523210*	PROF. DEVEL. EXPENSES	\$600	\$600	Professional associations, continued education
523410*	TRAVEL & MEETINGS	\$2,200	\$1,100	Harbormaster's Conference (in Oakland next year - less exp.)
522815	PUBLICATION	\$2,400	\$1,200	Legal ads - Marine Debris noticing less expensive
522410*	OFFICE EXPENSES	\$350	\$350	
521810	MAINT. & REPAIR - EQUIP	\$8,000	\$8,000	Patrol boat, pump-out boat maintenance
	OIL AND GAS	\$600	\$600	
	TOTAL EXPENDITURES	\$546,884	\$586,021	\$39,137 expenditure increase overall

PROFESSIONAL SERVICES BREAKOUT		FY 16/17 Modified Budget	FY 2017-18 Proposed Budget	FY 2017-18 Budget Notes
522545	LEGAL	\$35,000	\$35,000	Cont'd legal defense + \$10k enhanced enforce.
522510	RAPID RESPONSE PROGRAM	\$7,000	\$7,000	Contractor cost
522715	LAB SERVICES	\$8,534	\$8,534	TMDL testing Solano Co. Labs
522510	SPECIAL APPOINTMENT	\$157,983	\$159,737	1.0 FTE Harbor Admin. (fully ben) COLA Adjustment
522510	PROFESSIONAL SERVICES	\$200,000	\$200,000	Est. SAVE grant (abatement of 50-75+ boats beginning Oct.)
522510	CDA ADMIN	\$45,317	\$85,000	0.25 FTE ED (\$150/hr x 500 hrs = \$75,000) + \$10k CDA Admin
522510	AUDIT	\$6,500	\$6,500	Towards biennial audit expense
522510	WASTE AWEIGH PROGRAM	\$9,000	\$9,000	Sewage pump-out services
	WEBSITE DEV & ADMIN	\$2,000	\$2,000	Updates and maintenance
522510	SPD - OT Costs (Conting. in FY 17/18)	\$10,000	\$10,000	\$10k enhanced enforcement (SPD OT in FY 16-17 to FY 17-18 Contingenc
	SUBTOTAL - PROF SERVICES	\$481,334	\$522,771	

REVENUES

	Beginning Balance	FY 16/17 Modified Budget	FY 2017-18 Proposed Budget	FY 2017-18 Budget Notes
441115	INTEREST POOLED INVST	\$300	\$300	
441215	SLIP RENTALS	\$7,000	\$7,000	Mooring rentals
462610	OTHER SALES & SERVICES	\$6,000	\$6,000	Misc. reimbursement, vessel disposal chargeback
451970	INTERGOVT REVS - STATE	\$202,800	\$202,800	DBW \$200K (reimb. based) est. + MCSTOPPP \$2.8K rev.
461250	INTERGOVT REVS - LOCAL	\$289,100	\$345,997	RBRA Member Dues increase by \$56,897 overall
	TOTAL REVENUES	\$505,200	\$562,097	

USE OF FUND BALANCE	\$41,684	\$23,925	
REMAINING FUND BALANCE	\$43,924	\$20,000	Projected Available Fund Balance at 6/30/2018
ENDING RESERVES AS % OF BUDGET	8.0%	3.4%	

FY 2017-18 Proposed Budget - DRAFT

(Including FY 16-17 \$20,000 Budget Change Proposal for Enhanced Enforcement)

With Sausalito exiting, FY 2017-18 Proposed Budget includes proportional cost shares among remaining members:

- Budget funds a \$75k 0.25 FTE part-time ED and maintains \$10k for Admin/Conting. (a \$39,683 inc. over FY 16-17)
- with increased Member Contributions, and leaves a planned \$20k year-end fund balance/reserve.

JURISDICTION CONTRIBUTION PERCENTAGE	FY 16-17 Modified Budget	Sausalito Remains	Sausalito Exits RBRA		
		Option A	Revised Member Contrib. %	Proposed FY 17-18 Budget	Total Inc. from FY 16-17
		Proposed FY 17-18 Budget			
MILL VALLEY (5.0%)	\$14,455	\$17,300	7.7%	\$26,642	\$12,187
BELVEDERE (7.5%)	\$21,683	\$25,950	11.5%	\$39,790	\$18,107
TIBURON (10%)	\$28,910	\$34,600	15.4%	\$53,283	\$24,373
SAUSALITO (35%)	\$101,185	\$121,099	0.0%	\$0	(\$101,185)
MARIN COUNTY (42.5%)	\$122,868	\$147,049	65.4%	\$226,282	\$103,414
TOTAL MEMBER CONTRIB.	\$289,100	\$345,997	100.0%	\$345,997	\$56,897

RICHARDSON'S BAY REGIONAL AGENCY

MEMORANDUM

May 16, 2017

To: RBRA Board

From: Dan Eilerman, Asst. County Administrator (& Interim RBRA Executive Director)

Board Actions Requested: Adopt Resolution Authorizing Executive Director, in Consultation with Legal Counsel, to Reject Claims, as well as to Allow, Compromise or Settle any Claim up to \$10,000

BACKGROUND: At your Board's April 5, 2017 special meeting regarding closed session conference with legal counsel, your Board heard two claims regarding exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9. Your Board provided direction to Counsel and staff as a result of that closed session.

Going forward, we recommend that your Board delegate authority to the Executive Director, in consultation with Legal Counsel, to reject claims where both agree such action is prudent. In addition, the recommended resolution also delegates to the Executive Director the authority to allow, compromise, or settle any claim up to \$10,000. In the event there is not agreement, staff would schedule a closed session with your Board to consider the claims.

ALTERNATIVE POLICY OPTION: In the absence of delegating the authority to reject claims, the Executive Director and Counsel would need to schedule closed sessions with your Board to consider any future claims.

RESOLUTION NO. 03-17

RICHARDSON'S BAY REGIONAL AGENCY

**RESOLUTION DELEGATING TO THE EXECUTIVE DIRECTOR CERTAIN
AUTHORITY TO HANDLE CLAIMS MADE UNDER THE GOVERNMENT CLAIMS
ACT AGAINST RICHARDSON'S BAY REGIONAL AGENCY**

WHEREAS, Government Code Section 935.4 permits the Richardson's Bay Regional Agency ("RBRA") to delegate certain authority with respect to handling claims presented to RBRA pursuant to the Tort Claims Act, Government Code Sections 900 *et seq.*, (the "Act"); and

WHEREAS, RBRA desires to fully utilize all available procedures set forth in the Act to ensure that claims presented to RBRA are processed in a timely manner; and

WHEREAS, RBRA staff has proposed that RBRA's Board delegate to the Executive Director the authority to timely accept, reject, compromise, or settle certain claims as permitted by the Act.

NOW THEREFORE, BE IT RESOLVED:

Section 1: RBRA hereby authorizes the Executive Director to exercise his or her authority, after consultation with RBRA Counsel, to reject any claim presented to RBRA pursuant to the Act, which the Executive Director determines is not a proper claim against RBRA.

Section 2: RBRA hereby authorizes the Executive Director to exercise his or her authority to allow, compromise or to settle any claim presented to RBRA pursuant to the Act, which the Executive Director determines is a proper claim against RBRA, if the amount of the claim, compromise or settlement does not exceed \$10,000.

Section 3: An action taken by the Executive Director pursuant to this Resolution shall have the same force and effect as if taken by the Board.

PASSED AND ADOPTED by the Board of the Richardson's Bay Regional Agency on _____, by the following vote:

Ayes:

Noes:

Absent:

CERTIFICATION: _____

Erin Tollini, Board Chair

RICHARDSON'S BAY REGIONAL AGENCY

MEMORANDUM

May 16, 2017

To: RBRA Board

From: Dan Eilerman, Asst. County Administrator (& Interim RBRA Executive Director)

Board Actions Requested: Elect new Chair and Vice-Chair for two year terms commencing July 1, 2017

BACKGROUND: As your Board knows, RBRA Chair and Tiburon Councilmember Erin Tollini will be leaving the Bay Area to relocate to the East Coast this summer. Chair Tollini will resign from Town Council effective June 8. As such, today's RBRA Board meeting will be her last meeting with us.

It also happens that the two-year terms of Chair Tollini and Vice-Chair Winter expire June 30, 2017. Therefore, there is a need for your Board to consider electing a new Chair and Vice-Chair for two year terms commencing July 1, 2017.

ALTERNATIVE POLICY OPTION: In the absence of electing a new Chair and Vice-Chair this evening, your Board may consider doing so at its next regularly scheduled meeting.